

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Not Yet Assigned
Group Art Unit : Not Yet Assigned
Applicants : Rónán C. O'Hagan *et al.*
Application No. : 10/540,828 Confirmation No.: 2251
Filed : June 24, 2005
International Application No. : PCT/US03/41358
International Filing Date : December 23, 2003
For : *IN VIVO* METHODS FOR VALIDATING THE ROLE OF A
TUMOR MAINTENANCE GENE

Attention: PCT Legal Staff
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

EXPRESS MAIL CERTIFICATION

Express Mail Label No. EV669673419US

Date of Deposit: July 14, 2006

I hereby certify that this certification and the following papers and fees:

1. Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally Under 37 CFR 1.137(b);
2. Reply to Notification of Abandonment (in duplicate); and
3. Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to Mail Stop PCT, Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name: 

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GEN/005

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New York, New York
 July 14, 2006

Attention: PCT Legal Staff
 Mail Stop PCT
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

RECEIVED
 24 JUL 2006
 Legal Staff
 International Division

REPLY TO NOTIFICATION OF ABANDONMENT

Sir:

Applicants filed on June 24, 2005 all of the necessary papers for filing an application under 35 U.S.C. § 371 and charged the filing fees to a deposit account. However, there was an inadvertent typographical error in the deposit account number recited in the filed papers.

81 FC:1631 368.00 DA
 82 FC:1641 168.00 DA
 83 FC:1653 268.00 DA
 84 FC:1616 368.00 DA
 85 FC:1615 258.00 DA
 86 FC:1614 888.00 DA

Application No.: 10/540,828
Reply dated July 14, 2006

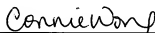
Please charge Deposit Account No. 06-1075, Order No. 001581-0151 in the amount of \$955.00 in payment of the full U.S. Basic National Fee.

Please charge Deposit Account No. 06-1075, Order No. 800000-5100 in the amount of \$750.00 in payment of the fee under 37 C.F.R. § 1.17(m).

The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 06-1075, Order No. 800000-5100.

A duplicate copy of this Reply is enclosed.

Respectfully submitted,



Jane T. Gunnison (Reg. No. 38,479)
Z. Ying Li (Reg. No. 42,800)
Attorneys for Applicants
Connie Wong (Reg. No. L0104)
Agent for Applicants
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Tel.: (212) 596-9000
Fax.: (212) 596-9090

**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number
(Optional)
GEN/005

First Named Inventor: Rónán C. O'Hagan

International (PCT) Application No.: PCT/US03/41358

U.S. Application No.: 10/540,828
(if known)

Filed: December 23, 2003

Title: *IN VIVO* METHODS FOR VALIDATING THE ROLE OF A TUMOR MAINTENANCE GENEAttention: PCT Legal Staff
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371 (c) were not filed prior to the expiration of the time set in 37 CFR 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371 (c) requirements were due. See 37CFR1.495(h).

APPLICANTS HEREBY PETITION FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee which is required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☒ Small entity - fee \$750.00 (37 CFR 1.17(m)). Applicant claims small entity status.
See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Proper reply

A. The proper reply (the missing 35 U.S.C. 371 (c) requirement(s)) in the form of
a Reply authorizing payment of the full U.S. Basic National Fee _____ (identify type of reply):

☐ has been filed previously on _____.

☒ is enclosed herewith.

07/20/2006 GFREY1 00000081 061075 10540828

01 FC:2453 750.00 BA

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

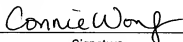
3. Terminal disclaimer with disclaimer fee

- ☒ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



Signature

July 14, 2006

Date

Connie Wong, Agent for Applicants

Typed or Printed Name

L0104

Registration Number, if applicable

Fish & Neave IP Group, Ropes & Gray LLP

Address

212-596-9000

Telephone Number

1251 Avenue of the Americas, New York, NY 10020

Address

Enclosures: ☒ Reply (in duplicate)☐ Terminal Disclaimer☒ Other (please identify): Certificate of Express Mailing

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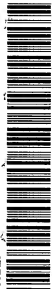
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